

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE SUBPOENAS ISSUED IN:

Appel v. Wolf

Pending in the U.S. District Court for the
Southern District of California
Case No. 18-cv-814-L-BGS

HOWARD APPEL,
Petitioner,

-against-

ROBERT S. WOLF,
Respondent,

CITIBANK N. A.; BMO
CAPITAL MARKETS
CORP.; KPMG, LLP; J. P.
MORGAN CHASE N.A.; J.P.
MORGAN SECURITIES
LLC,

Nominal Respondents.

Misc. Case No. 21 MC 500

**PETITIONER HOWARD APPEL'S NOTICE OF MOTION TO QUASH
NON-PARTY SUBPOENAS PURSUANT TO FED. R. CIV. P. 45, OR IN
THE ALTERNATIVE FOR A PROTECTIVE ORDER, AND FOR FEES
ASSOCIATED WITH THIS MOTION**

PLEASE TAKE NOTICE that on such soonest date as the Court shall direct, counsels for Petitioner Howard Appel shall move the United States District Court, Southern District of New York located at 500 Pearl Street, New York, NY 10007, for the entry of an Order pursuant to Rules 26(b), 26(c), and 45(d)(3) of the Federal Rules of Civil Procedure (1) quashing the Subpoenas; and (2) awarding Petitioner

Howard Appel's Reasonable Fees Associated with making This Motion in the amount of \$4,974.00 to be paid by Respondent Wolf, and his counsels of record Wingert Grebing Brubaker & Juskie LLP, and Andrew A. Servais.

This Motion is based upon this notice, the attached Memorandum of Points and Authorities, the Declaration of Steven Brower filed concurrently herewith, and such further evidence and arguments as may be presented prior to or at the time of hearing on the Motion.

Dated: July 1, 2021

Respectfully submitted,



James W. Halter

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Steven Brower (*pro hac vice* admission forthcoming)
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